

Potentially Eligible Guidance and Process

Revised July 2020

Purpose

To inform staff of a new population of students who can receive Pre-Employment Transition Services (Pre-ETS) through DVR.

Rationale

The requirement to serve all students with disabilities mandates that Wisconsin DVR create a new procedure for providing only Pre-ETS to potentially eligible students.

Background

WIOA Federal Regulation CFR 361.48(a) requires Pre-ETS to be made available statewide. In collaboration with schools, DVR provides Pre-ETS to all students with disabilities in need of such services regardless if they have applied for or have been determined eligible to receive DVR services.

Potentially Eligible Definition

A Potentially Eligible (PE) student is a student with a disability who:

- Is in high school or a post-secondary education training program
- Is 14 to 21 years old
- Has an IEP, 504 Plan, or a documented disability
- Has not been determined eligible or ineligible for DVR

PE students can receive Pre-Employment Transition Services (Pre-ETS), including:

- Job Exploration Counseling
- Work-Based Learning
- Counseling on Opportunities for Enrollment in Comprehensive Transition or Post-Secondary Educational Programs
- Workplace Readiness Training
- Instruction on Self-Advocacy, which includes Peer Mentoring

Additional services, including transportation, systematic instruction, personal assistance services, and assistive technology, which may be needed to support Pre-ETS, **cannot** be provided to a PE student with DVR funding. If these supports or additional services are needed, students must apply and be found eligible for DVR services or have those services provided by a comparable benefit.

Note: Auxiliary services needed to access Pre-ETS for students with communicative or sensory disorders are considered Pre-ETS services. Examples include students who are deaf or hard of hearing, have

visual impairments, etc. Reader and Interpreter services to access and participate in Pre-ETS are allowed under the ADA's Title II regulations defined as "auxiliary aids and services" in 28 CFR 35.104.

For further information on coding Pre-ETS, see the Pre-ETS Desktop Reference:

https://dwdworkweb/dvr/info_ctr/services/pre-ets.pdf (Internal Link).

Policy for PE Students on OOS Waitlist

If a PE student applies for DVR services, is determined eligible, and is placed in a closed Order of Selection (OOS) category, the following policy would apply to them:

- If a PE student with a disability is receiving Pre-ETS from DVR or from a comparable benefit documented in IRIS, before the eligibility and OOS decision DVR may continue to provide Pre-ETS.
- Pre-ETS can be provided until the PE student is activated from the waitlist **or** no longer meets the definition of a student with a disability. The only services that can be provided during this period are Pre-ETS.
- DVR can continue to provide Pre-ETS to a student on the OOS waitlist as a PE consumer if the student was receiving those services from their high school as a comparable benefit. The individual must still meet the definition of a student (e.g., 14 to 21 in high school or attending post-secondary education) to receive Pre-ETS while on the waitlist.

Process

- DVR receives a completed PE Referral form:
https://dwd.wisconsin.gov/dwd/forms/dvr/pdf/dvr_18207.pdf.
- If a student is 18 years of age or older and has a legal guardian, the guardian must sign the form and DVR must obtain guardianship paperwork and attach it to the PE file in IRIS.
- DVR enters the information from the form into IRIS and upon receipt of the properly signed form attaches it to the PE file in IRIS. When applicable, DVR will also attach necessary guardianship or disability documentation.
- PE Referral forms cannot be submitted to IRIS online:
 - The form is word-fillable or can be completed as a hard copy, then emailed or mailed to the local DVR office.
 - Local DVR offices will determine a process for entering PE Referral forms, as Central Office staff will not enter these forms into IRIS.
- If the school signs the PE Referral form, their signature serves as documentation that the student has a disability.
- If the referral form is not signed by the school, obtain disability documentation and attach it to the IRIS PE file.
- Only Pre-ETS may be provided to a PE student.
- As with all Pre-ETS cases, DVR Counselors should track their related time in STAR as Pre-ETS under the Task Profile ID.
- Staff can adjust their notification list in IRIS to display PE cases.

For further information on coding Pre-ETS, see the Pre-ETS Desktop Reference:
https://dwdworkweb/dvr/info_ctr/services/pre-ets.pdf (Internal Link).

Dates of Services on POs for PE Cases

Dates of services on the PO and completion of services must be prior to the following situations:

- Aging out – turning 22 years old
- No longer attending high school or secondary training program
- Graduation from high school with no intent to enroll in Post-Secondary Training (i.e., enroll the following semester) or no enrollment in a post-secondary training

Note: Services do not have to be discontinued when a PE student becomes a regular DVR consumer. However, the PO dates for a PE student must end and the PO must be closed when the individual is no longer a student, and a new PO must be created for services to continue.

Best Practice: If a VRC is aware that a PE student is interested in full DVR services, the VRC should refer the student to regular DVR **before** they no longer meet the definition of a student (turning 22 or completing school). Best practice is still to have students apply two years prior to graduation.

Conclusion of PE Cases

- PE cases exit out of the VR program in the following circumstances:
 - The student turns 22 years old - an automatic batch job will exit the case.
 - The student is no longer participating in a secondary or post-secondary training program - staff will manually check a box indicating the PE "no longer meets the definition of a student" and exit it out.
 - The student requires additional DVR services and applies for a regular DVR case. Once an eligibility or ineligibility decision is made, the student can no longer qualify as PE.
- If a PE case becomes a standard DVR case, all information and attachments from the PE case will transfer to the standard DVR case in IRIS.
- To convert a PE case into a Referral, the individual must be a student with a disability under age 22.
- Once the individual has turned 22, DVR can no longer turn the PE Case into a Referral. The individual must apply via the "normal" DVR Referral/Application process.
- Click on the "Create Referral/Application" button at the bottom of the PE Summary to convert a PE case into a regular case DVR Referral.
 - After you fill out the required fields on the "Referral/Application for Services" page, the status will change to "In Process Referral" (Status 00). The individual will now appear in both the Potentially Eligible search and Referral/Application search.
 - Once the status has changed to "In Process Referral", the Create Referral/Application button on the PE case will change to "Go to In Process Referral/Application". This will indicate to staff that there is an in-process Referral for the individual.
 - The Referral will be turned into an Applicant (Status 02) after the signature is captured. The case number will stay the same as the PE case file number.

- After the Referral/Application is accepted, the individual will only appear in the Referral/Application and Case searches (they will no longer appear in the Potentially Eligible search).
- If a PE consumer submits a regular online DVR Referral – reject it. Proceed with the process to convert the PE Case into a Referral (see above). If the regular online Referral is not rejected, then none of the PE case information will be available in the regular case file.

General Information

- If you receive a regular online DVR Referral and the individual is 22 years of age or younger and no SSN is included on the Referral, do a Potentially Eligible search to make sure they don't already have a PE Case.
- PE students are encouraged to submit a PE Referral Form at the time they need a Pre-ETS service.
- If DVR staff provide Pre-ETS to a PE student, such as Counseling on Opportunities for Transition or Post-Secondary Education or Job Referral, create an In-House service case note to document the provision of those services.
 - **Note:** PE cases do not require the use of the Education/Training module or Comparable Benefit case note in IRIS because these students do not have an IPE.